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ON HUMAN MARRIAGE.

THAT marriage is the moral regulation of sexual relations originally uncontrolled is for most men the only natural and possible conception. Since passion is still a capricious and violent thing, sexual relations would remain comparatively free and promiscuous did not civilized life bring with it so many feelings that make for self-control and self-education. It seems therefore impossible to suppose that anything worthy of the name of marriage could have existed in the beginnings of human society. It would seem that man and woman were then drawn together by chance promptings of instinct, lived together so long as the attraction lasted, and separated when it ceased or when it drew them in another direction. All we know of primitive manners forbids the doubt that the relations of the sexes were then regarded in a light very different from that in which a more developed morality has taught us to see them. The savage woman feels no shame in abandoning herself to a man without marriage.

This conception of originally unregulated sexual relations became some thirty years ago the basis of an elaborate scientific theory about the origin of marriage. MacLennan and Bachofen pointed out the way, and were soon followed by many notable scholars. The corner-stone of all these systems is the discovery that many tribes look upon children as belonging exclusively to the mother and her people, a view exactly similar to that we commonly take of the relation of illegitimate children to their mother, except that here it is applied with absolute rigor to whole series of generations. This descent through the mother, taken in connection with a number of often acute interpretations of primitive customs, seemed to bring a new light and interest to the problem of the origin of human communities. We felt able to trace back the stages through which the life of the sexes and of the family had been developed. Scholars have differed on many particular points, but have shown an admirable unanimity upon the fundamental question. Man has steadily risen from a state in

which the union of the sexes was entirely free to one in which it was better regulated; polyandry and polygamy were the intermediate stages, out of which monogamy arose and in civilized ages came to be enforced by law.

A more accurate investigation of primitive conditions, however, will show that this whole theory has no foundation. As early as the year 1888, I attempted to show, in a detailed critique of all the problems involved in this subject, that those hypotheses were worthless.* If I return to the question now, it is not to impart anything new, but on the occasion of a voluminous work published in English by the Finnish scholar, Mr. E. Westermarck.† Mr. Alfred R. Wallace, the well-known naturalist, has thought the work worthy of being ushered in by a very flattering preface of his own, in which he particularly praises the young author's courage and success in criticising the views of the most notable scholars. As my opinion of the scientific value of the book differs widely from this, I feel a kind of obligation to express it publicly, as I should perhaps not have done if the great name of Wallace did not shield the author. It will soon be apparent to the reader that the duty I have to fulfil is not a pleasant one.

1. In three long chapters Mr. Westermarck criticises the hypothesis we have been speaking of, that of the originally promiscuous union of the sexes. This hypothesis rests principally on three considerations. The first is the existence in our time of cases of promiscuous relations in tribes that lack all sense of sexual honor, and retain customs which are apparently vestiges of a former entirely promiscuous way of living. Mr. Westermarck attempts to prove that this argument is not conclusive, and I am ready enough to grant the failure of the proof, considering that in my book I have already expressed and upheld his opinion that those immodest customs are explained by entirely different causes, and especially that promiscuous relations, where they still are found, are a compara-

* "*Die Primitive Familie.*" Leipzig, 1888. Intern-wissch. Bibl. lxvi. London, 1889; Paris, 1891.

† "*The History of Human Marriage,*" London, 1891.

tively late phenomenon, arising from a particular phase of the idea of property. Promiscuous relations are an effect rather of the sharp separation of tribes into units with relation to property than of an indiscriminate treatment of individuals. The evidence of this condition, with which I was principally concerned, will be sought in vain from Mr. Westermarck ; yet I am less surprised at this omission than at the fact that he has nowhere found occasion to mention that his conclusion, in all its particulars, had already been presented by another student.

The second argument on which this hypothesis of promiscuous union rests is the fact that many primitive tribes have developed a system of appellations for the degrees of relationship, which seems to indicate that brothers shared their wives and sisters their husbands, and the children did not know who their father was, since they had the same word for father and uncle. Lewis Henry Morgan, the American scholar, has based this hypothesis mainly upon this peculiarity of nomenclature. But MacLennan has already proved that this is impossible, and that these expressions did not arise from blood relationship, but were mere polite modes of address. Peschel believed they had also some reference to the relative generation to which the persons belonged. I have shown in my book, by minute analysis of the particulars, that the question of generation was actually what determined the nomenclature, but in a purely formal way. Mr. Westermarck makes no mention of all this, but appropriates the results attained by MacLennan and Peschel. He writes, for instance, on page 85, "I shall endeavor to show that no inference regarding early marriage-customs is to be drawn from the terms of relationship." It would have been more modest to have remembered that the victory thus heralded had long ago been won by another ; and this modesty would have been the more becoming as the victory could never have been achieved by the arguments he has advanced. They are insufficient. "It is needless," he says, on page 84, "to enter into further details." But this is quite incorrect. The author might, indeed, spare himself the trouble of detailed studies which others have already carried

through, but he can use their results only by openly and honestly invoking their authority. As he fails to do so, the theory they have proved appears in his pages as an unjustified private opinion. The essential characteristics of the terms of relationship are touched upon indefinitely by the way. Thus the important distinction between the Ganowaiian and Turanian systems is not even mentioned. Mr. Westermarck is content with a hypothetical assurance, and makes light of the verification which could be gained only by patient study of the details.

There remains still the third and most important argument for the existence of promiscuous relations. It is the descent by the mother's line already referred to, which is taken to prove that originally it was not known who was a child's father. Mr. Westermarck reaches the conclusion that there is no connection between descent by the mother's line and unregulated sexual relations. If I were to name the problem which more than all others my book was devoted to solving, I should have to take this one of descent by the mother's line. I have there shown that this custom is to be regarded as the outcome of a conflict for jurisdiction between the group to which the mother belonged and that which she joined by her marriage. Descent was counted by the mother's or the father's line, according as one or the other group prevailed. The child took the name of that family under whose jurisdiction he fell; there is no evidence that questions of blood relationship were concerned, but the result appears to have been due exclusively to social and economical conditions of the time. Mr. Westermarck does not attempt to explain the origin of descent by the mother's side; he is satisfied with criticising and rejecting the idea that it was due to promiscuous unions. But as this criticism, in its methods and results, often entirely coincides with mine, it cannot be thought an unjustified desire to wish that fact had been mentioned. But this never happens, although Mr. Westermarck knows of the existence of my book, and quotes it here and there upon minor points.

"Speaking of certain negro tribes," he writes on page 108, "Winterbottom suggested long ago that the prevalence of the

female line was to be explained by the practice of polygamy, and Dr. Starcke has recently called attention to the same point." Mr. Westermarck overlooks the fact entirely that the important question is not whether polygamy was a possible cause of prevalence of the female line, but to find the proof of its origin and effects in the polygamous family. He forgets that this is my main object, and also that I have discovered many other causes of the prevalence of the female line. He even quotes me, on page 109, in such a way that any one would suppose I had overlooked the connection between this phenomenon and the custom of husbands going to live in their brides' houses (*Ambelanak* marriage). He quotes my explanation of the reasons for this custom, but adds as his own the idea of its connection with descent by the female, which is also developed by me, and at considerable length.* On page 110, Mr. Westermarck mentions how I explain a peculiar law of inheritance among the Iroquois. A woman's property passes to her children and sisters, and not to her brothers. I sought to explain this by the fact that the sisters live in the same house, while the brothers live in strange households as the husbands of alien wives. Mr. Westermarck says, "Though agreeing in the main with Dr. Starcke's hypothesis, I do not think it affords a complete explanation of the matter. It seems probable that the causes which make children take their mother's name

* On page 108 Mr. Westermarck writes, "According to Dr. Starcke, this custom is due to the great cohesive power of the several families, which causes them to refuse to part with any of their members. 'Since men are more independent,' he says, 'they are also less stationary; they can no longer attract the women to themselves, and are therefore attracted by them.' Under such circumstances there is nothing astonishing in the fact that children are named after the mother's tribe or clan." I had said, "Since men are more independent, they are also less stationary; they can no longer attract the women to themselves, and are therefore attracted by them. It might be expected that such a custom would gradually exert a destructive influence upon marriage whenever the husband gives up the connection with his own family" (p. 80). And on p. 78 I said, "*Djudur* involves the observance of the male, *Ambelanak* of the female line, and the question as to which was the original line of kinship among the Malays resolves itself into the question whether the man originally took his wife into his own home or established himself in her family." Cf. "The Primitive Family," pp. 34, 39, 66, 90.

have also directly exercised some influence upon the rules of succession; but I am inclined to believe that the power of the name itself has been of the highest importance in that respect." Mr. Westermarck has evidently not understood the point in question. He has simply ignored the fact that I also attributed to the name a great influence in settling the line of succession. But this circumstance cannot account for the particular case of the Iroquois, which turns on the special question how a woman's property is inherited by her children and sisters, who bear her name, and not by her brothers, when they also bear it.

These passages comprise all the quotations Mr. Westermarck makes from my book, and he makes them in such a connection that he owed me at least the simple acknowledgment that his hypotheses were fashioned after mine. Later, he mentions my book twice in passing, on pages 391 and 514.

2. I should be glad to leave Mr. Westermarck and his book after being forced to speak of his authorship in a manner I must regret; yet my interest in the problems induces me to make a few additional remarks upon the methods and results of our author.

a. Mr. Westermarck defines marriage almost in the same way as I had done. "Marriage," he says, "is nothing else than a more or less durable connection between male and female, lasting beyond the mere act of propagation till after the birth of the offspring."* I think too much stress is laid here on the birth of a child, since childless unions must certainly be called marriages. This definition appears to be chosen with a view to the subsequent explanation of the duration of marriage. This explanation is found in a comparison of the conditions of human and animal life. The utility of such a comparison is not to be denied, only it is a necessary condition for the right employment of such a

* Page 19. In "The Primitive Family," p. 13, I define marriage as a connection between man and woman which is of more than momentary duration, and as long as it endures they seek for subsistence in common. Dr. K. Friedrichs has thoroughly discussed this question in a very interesting paper in the *Zeitschrift für vergl. Rechtswissenschaft*, vol. x. I find myself in full agreement with him.

method to have a clear consciousness of its limitations. The fact that something resembling marriage is found among the lower animals is of great interest, but this fact does not absolve us from the necessity to trace the actual causes of such relations. Mr. Westermarck takes the matter too easily, and uses the word "instinct" throughout as an adequate explanation.

"It is obvious that where the generative power is restricted to a certain season, it cannot be the sexual instinct that keeps the male and female together for months or years. Nor is there any other egoistic motive that could probably account for this habit. Considering that the union lasts till after the birth of the offspring, and considering the care taken of this by the father, we may assume that the prolonged union of the sexes is, in some way or other, connected with parental duties. I am, indeed, strongly of the opinion that the tie which joins male and female is an instinct developed through the powerful influence of natural selection" (p. 20). The author will acknowledge, without doubt, that we possess very meagre information about the mental life of animals. What we know suffices to make it probable that there is no essential difference between the human and the animal soul; but the actual ideas and motives that make up the consciousness of animals are too often entirely hidden from us. Here our knowledge of man is beyond comparison richer. And it follows that, when we notice similar behavior in men and in animals, we are compelled to explain the latter by the former, the less known by that which we know better. Mr. Westermarck's principle, however, is to explain man by the animals, the known by the unknown. Because he can find no selfish instinct except the sexual that should prolong the union of animals for months and years, he takes refuge without scruple in a hypothetical inherited parental instinct.

Instinct is only a conception by which we denote the presence of an organization which enables an individual to react usefully upon a given stimulus, without possessing an idea of the end to be attained, when there is only a very indirect connection between that end and the stimulus. Sometimes, too, we call it an instinct when a perception arouses pleasure

or pain which cannot be explained either by the experience of the individual or by the direct impression upon the organism. But of course we should not speak of instinct when motives for an action or emotion are not absent, though undiscoverable by the observer; or when the motives seem to be absent only because habit has melted together the various elements of the process, so that they are no longer individually present to consciousness. It would be entirely misleading to talk of instinct in connection with the extraordinary facts of hypnotism. Suggestion is here the actual cause of the later act, but the individual often believes he acts from motives that arise in his mind in the ordinary manner. It happens often in daily life also that people ingeniously attribute their conduct to all sorts of imaginary motives, while the actual causes are wholly different,—as men with diseased nerves, for instance, find moral causes for their sufferings, emotions, and impulses which have a physiological origin. The physician is right in looking for the explanation in the diseased nerves; yet we should not forget that the behavior of those patients can never be perfectly understood if we take no account of their ideas and psychological motives, since they are stages in the process.

Strictly speaking, only reflex action can be regarded as instinctive. The province of instinct is abandoned as soon as emotions arise in the individual which constitute motives for his action. The sexual instinct, for example, can be explained by its physiological causes. But if we call it an instinct, arising through the powerful influence of natural selection, by which the individual is brought to pursue the interests of the race instead of his own, what explanation should we reach of the sexual life in the individual mind? None at all. For that purpose we should require knowledge of the particular feelings and images by virtue of which the sexual instinct governs men as a passion. Biology must ally itself with psychology and sociology. Mr. Westermarck admits that this is so; but this necessity seems to mean for him that a mass of facts is to be heaped together from all three departments; and yet it cannot be otherwise understood that every fact is to be regarded from all three points of view. No problem of

human life can find its perfect and exhaustive solution in such a conception as that of utility to the race and of an instinct resting on this utility. These concepts are in themselves empty categories, well fitted as such to afford a desired cloak for ignorance.

When our author says that marriage comes from a parental instinct, he gives no explanation of the lasting union between man and wife; he merely notes the fact that such union exists and that it is useful to the children. The real problem, which remains to be solved, is what forces in the consciousness of the individual assure this lasting union.

We are ignorant of the motives of animals, but the most probable conjecture seems to us to be that the continuance of the union was brought about by the female and not by the male, because the female was consciously weaker during pregnancy. Animals are capable of the feeling that prompts the strong to protect the weak, and such a feeling may have influenced the male. Yet I think we should assume that the male soon discovers that the female is in some way useful to him; in which way, our scanty knowledge makes it hard for us to tell. Certain it is that among men and women a lasting union is dependent on this usefulness; the woman stands in need of protection from her husband, and he affords it in return for the household services which his wife renders.

Sexual instinct keeps man and woman but a short time together. A man's desire to live all his life with a woman is sufficiently explained by the division of labor which is thus made possible. When the primitive man abandons one wife, he at once looks for another, so that he spends not months or years but all his life in wedlock, from his youth up. He needs a companion, a slave, a housewife to bear the burdens of life with him,—of course a companion in the lowest sense of the word. Sexual attractions influence his choice, but the necessity of choosing is by no means dependent on them. Love becomes a passion in a great measure through sexual instinct; but other forces enter into the problem from the beginning, and the originally crude and brutal demands a man makes of his slave are the root of all the idealism of

modern love. The services the wife renders in the house increase with the growth and differentiation of the family life, and we should now regard that love as low and as an insult to its object which arose merely from the excitements of sense, and did not have its true basis in the appreciation of those qualities which make the woman we love the life-long partner of our happiness and sorrow.

b. The ideal of beauty in any community depends upon the qualities which fit the wife to fulfil the functions which society lays upon her at that time and place. Mr. Westermarck devotes a whole chapter to determining the elements of the ideal of beauty, and here one comes upon many good remarks, although still missing a clear and sharp analysis. The author somewhere says that the formulation and development of great general laws is more essential than the analysis of particulars. This is ill-timed smartness; for of course general laws are the goal of our investigation; but the laws are worthless unless they find this verification in the particulars, which must, therefore, be always diligently examined. The law formulated on pages 264-65 is neither complete nor fundamental enough. "Men find beauty in the full development of the visible characteristics belonging to the human organism in general; of those peculiar to the sex; of those peculiar to the race." But what are we to think of the following? "We may infer that women's instinctive inclination to strong and courageous men is due to natural selection in two ways. A strong man is not only father of strong children, but he is also better able than a weak man to protect his offspring" (p. 256). We do not think there is here any question of instinct; the judgment of beauty is as usual determined by a swift consideration of the utility of the object. A house is not thought beautiful when it is unfit to live in; a vault is not beautiful if it seems too massive or too slender for the superimposed weight. A man is only beautiful when his appearance suggests that he is fit to fill the place that belongs to him in society. And as physical and mental qualities are alike demanded for this purpose, two ideals of beauty arise that are united in the perfect ideal but in prac-

tice may be separated. The variations that occur in each come from the differences that arise in men's pursuits. Some love the statuesque, in spite of dulness and worthlessness; others prefer the beauty of intelligence and character that may be expressed in features ugly in themselves. Primitive races offer many strange examples of this dependence of æsthetic judgment on associations with utility. The Chinese, and here and there African princes, think long nails beautiful because they mark one's freedom from the necessity of labor. In some tribes the fattest and least agile women are most prized because their utter uselessness is a sign of their husband's wealth. Taste is determined among us by the same principles. To be dressed with neatness and taste means one thing in common life and another at a festive gathering. In the latter case the fact should be expressed that we have no work to do; our clothing is, therefore, of an unpractical type. In the other case our clothing should show that our work is not of a low and dirty kind. Mr. Westermarck says, on page 265: "That this connection [between love and beauty] does not depend upon the æsthetic pleasure excited by beauty is obvious from the fact that the intrinsic character of an æsthetic feeling is disinterestedness, whereas the intrinsic character of love is the very reverse." But this is nothing but an empty piece of cleverness, since the beautiful is never anything else but what we should be justified in coveting in the reality.

c. The unscientific character of every explanation of the facts of social life by appeals to instinct appears most clearly in Mr. Westermarck's account of exogamy. "The horror of incest," he says, on page 290, "is an almost universal characteristic of mankind." The remark is true. Few tribes allow marriage in all degrees of consanguinity. The horror of incest among us prevents all sexual ties between near relations. But our author assumes without proof that this is universally the case. He does not examine at all the hypothesis proposed by me and suggested by the observation that incest originally consisted in marriage only, and not in sexual intercourse. My hypothesis was that the prohibition of marriage was based upon the legal status the persons concerned had in the body

politic. The son could not marry his mother, nor the brother his sister, nor the father his daughter, without upsetting the legal relations which had hitherto obtained between them. This hypothesis may prove to be erroneous; but the appeal to an instinct is undoubtedly no explanation. Mr. Westermarck is right in saying (p. 334) that the horror of incest is "an aversion to marriage between persons living closely together." He calls this aversion "instinctive," and I find no grounds by which he could make the rise of such an instinct appear probable. On the other hand, I believe my hypothesis can explain the origin and the unyielding rigor of that aversion. It is very superficial to compare this aversion with the repugnance of animals to pair with individuals of another species (p. 353). For the cause of this repugnance is the absence in those cases of sexual attraction, while incest is horrible in spite of the presence of the conditions of a mutual passion. And what can the author mean by saying (p. 319): "The home is kept pure from incestuous defilement neither by laws, nor by customs, nor by education, but by an instinct which under normal circumstances makes sexual love between the nearest kin a psychical impossibility"? or by mentioning in this connection (pp. 151, 155) the notion that there is something inherently impure in sexual intercourse? Is this notion the cause or the effect of that instinct? We believe this notion of the impurity of sexual intercourse has helped to bring about the cessation of all desire of this sort towards a mother, a sister, or a daughter; but we attribute to the original prohibition to marry any of these persons a far greater influence in producing the feeling that sexual intercourse is impure. Many other forces have worked to the same result, but they have all been social in their nature. Such a force, for instance, is the idea that sexual self-restraint was a sign of manly courage; that the wife had a superior position to that of the concubine, and was consequently insulted if her husband sought her only for her physical charms.

d. The chapter in which Mr. Westermarck describes the different forms of marriage is the best portion of his work. It is written in a neutral tone, and is quite satisfactory as a

popular account of the main types of marriage. Of course one must not look here for an investigation into the manifold variations and singularities within these types. We should particularly have welcomed a sharper distinction between monogamy as it appears in primitive times as a chance fact, and monogamy as it exists among us, exclusively protected and recognized by the law. But we may overlook such minor matters, and turn our attention to the acute investigation of the causes which control the sex of children. Mr. Westermarck says (p. 482) that "It is probable that the degree of differentiation in the sexual elements of the parents exercises some influence upon the sex of the offspring, so that when the differentiation is unusually great, the births are in favor of females, when it is unusually small, in favor of males." I am inclined to agree to this; but when the author continues, "Polyandry is due chiefly to a surplus of men, though it prevails only where the circumstances are otherwise in favor of it" (p. 482), I am sorry nowhere to find what, according to him, these other circumstances are. Poverty might explain some cases, and the fact of brothers living in the same house might explain other cases, since the brothers might need only one housewife or might be able to support only one. But cases like that of the Nair on the coast of Malabar cannot be explained in this way, and, if these tribes are regarded as without the institution of marriage, the origin of their customs was still worth studying. Such other examples of polyandry as that in the Marquesas Islands also require a special explanation.

I think Mr. Westermarck would have recognized that marriage is essentially an economical institution if he had gone a little deeper into the study of its various forms. To explain polygamy by the surplus of women, and polyandry by that of men, shows a one-sided treatment, and that bias in favor of biological points of view, to the exclusion of social and psychological, which everywhere characterizes the author. The same holds good of his explanation of the victory of monogamy. "When the feelings of women," he says (p. 509), "are held in due respect, monogamy will necessarily be the

only recognized form of marriage." We find in this only the result—by no means the cause—of monogamy. The author himself has here and there given some of the real causes of the growth of sympathy, but obscurely and disconnectedly. The growth of the feelings seems to him always the essential thing. At the conclusion of the book he gives a review of the results of his investigation. Here the origin of monogamy is attributed to the custom of regarding, in the polygamous family, only one man or woman as the true husband or wife. In the text this is only mentioned incidentally. I have myself laid great stress on this custom, and notice with pleasure this agreement in our views. A similar agreement, I may assume, exists on the subject of the Levirate, since Mr. Westermarck here expressly refers his readers to my investigations (p. 514). But I cannot explain how he overlooks the important distinction, pointed out by MacLennan, between the Levirate and the custom of marrying a dead brother's wife. In the one case the brother inherits his sister-in-law and has children by her; in the other he by no means inherits his sister-in-law, and the children he has by her are regarded as the legitimate offspring of his dead brother.

Unfortunately, I have not been able to pass a favorable judgment upon Mr. Westermarck's large and comprehensive work. I regret it all the more because he has collected a mass of material out of which a very useful book might have been compiled. The author shows considerable ability in clothing his thoughts in an agreeable, flowing style, an ability particularly valuable in scientific works upon subjects like the present. Constant, often similar, descriptions of the customs of many tribes can easily become tedious, but Mr. Westermarck knows how to keep alive the interest of his reader.

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